United Nations S/2003/91

Security Council

Distr.: General
27 January 2003

Original: English

## Letter dated 24 January 2003 from the Permanent Representative of the Democratic People's Republic of Korea to the United Nations addressed to the President of the Security Council

I have the honour to transmit to you herewith a detailed report issued by the Korean Central News Agency (KCNA) on 21 January 2003 on the circumstances of the withdrawal of the Democratic People's Republic of Korea from the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) (see annex III).

While wishing to draw your attention to the KCNA detailed report, I also transmit herewith a letter dated 10 January 2003 addressed to you from Paek Nam Sun, Minister for Foreign Affairs of the Democratic People's Republic of Korea, on the decision of the Democratic People's Republic of Korea Government to revoke the "suspension" on the effectuation of its withdrawal from the NPT (see annex I) and a statement issued by the Democratic People's Republic of Korea Government on 10 January 2003 (see annex II).

I should be grateful if you could have the text of the present letter and its annexes circulated as a document of the Security Council.

(*Signed*) **Pak** Gil Yon
Ambassador
Permanent Representative

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## Annex I to the letter dated 24 January 2003 from the Permanent Representative of the Democratic People's Republic of Korea to the United Nations addressed to the President of the Security Council

## Letter dated 10 January 2003 from the Minister for Foreign Affairs of the Democratic People's Republic of Korea addressed to the President of the Security Council

Upon authorization, I inform the Security Council of the United Nations that the Government of the Democratic People's Republic of Korea decided on 10 January 2003 to revoke the "suspension" on the effectuation of its withdrawal from the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), according to which the DPRK's withdrawal from the NPT will come into effect.

In this regard, I would like to recall that the Government of the DPRK decided on 12 March 1993 to withdraw from the NPT and that its Minister for Foreign Affairs addressed a letter to the Security Council on the same day, as contained in document S/25405, notifying it of the Government's decision on the withdrawal from the NPT in accordance with paragraph 1 of Article X of the Treaty.

I also recall that, through the Joint Statement of the DPRK and the United States of America dated 11 June 1993, the Government of the DPRK decided to "unilaterally suspend as long as it considers it necessary" the effectuation of the DPRK's withdrawal from the NPT one day before the coming into effect of its withdrawal from the NPT on 12 June 1993, and that the United States informed the Security Council of the above on 14 June 1993.

Therefore, in accordance with the DPRK Government's decision of 10 January 2003, the DPRK's withdrawal from the NPT will be effectuated fully from 11 January 2003, the day after the submission of the present letter to the Security Council.

This measure conforms fully with the purposes and principles of the United Nations Charter, as it becomes a rightful self-defensive measure to safeguard the sovereignty and right to existence of the country and nation, which are at the crossroads of life and death due to the ever-intensifying United States hostile policy and pressure on the DPRK.

Enclosed herewith is a copy of the statement of the Government of the DPRK dated 10 January 2003 (see annex II), which explains the details concerning the Government's decision.

(*Signed*) **Paek** Nam Sun
Minister for Foreign Affairs
Democratic People's Republic of Korea

## Annex II to the letter dated 24 January 2003 from the Permanent Representative of the Democratic People's Republic of Korea to the United Nations addressed to the President of the Security Council

## Statement of the Government of the Democratic People's Republic of Korea dated 10 January 2003

A dangerous situation where our nation's sovereignty and our State's security are being seriously violated is prevailing on the Korean peninsula due to the vicious, hostile policy of the United States of America towards the Democratic People's Republic of Korea.

The United States instigated the International Atomic Energy Agency (IAEA) to adopt another resolution against the DPRK on 6 January, in the wake of a similar resolution adopted on 29 November 2002.

Under its manipulation, the IAEA, in those resolutions, termed the DPRK "a criminal" and demanded that it scrap what the United States called a "nuclear programme" at once in a verifiable way, in disregard of the nature of the nuclear issue, a product of the hostile United States policy towards the DPRK, and its unique status since it declared a suspension of the effectuation of its withdrawal from the Nuclear Non-Proliferation Treaty (NPT).

Following the adoption of the latest resolution, the IAEA Director General issued an ultimatum to the effect that the Agency would bring the matter to the United Nations Security Council to apply sanctions against the DPRK unless it implemented the resolution in a few weeks.

This clearly proves that the IAEA still remains a servant and a spokesman for the United States and the NPT is being used as a tool for implementing the hostile United States policy towards the DPRK intended to disarm it and destroy its system by force.

Particular mention should be made of the fact that the IAEA, in the recent resolution, kept mum about the United States, which has grossly violated the NPT and the DPRK-United States Agreed Framework, but urged the DPRK, the victim, to unconditionally accept the United States demand for disarmament and forfeit its right to self-defence, and the Agency was praised by the United States for saying all that the United States wanted it to. This glaringly reveals the falsehood and hypocrisy of the signboard of impartiality the IAEA put up.

The DPRK Government vehemently rejects and denounces this resolution of the IAEA, considering it a grave encroachment upon our country's sovereignty and the dignity of the nation.

It is none other than the United States which wrecks peace and security on the Korean peninsula and drives the situation there to an extremely dangerous phase.

After the appearance of the Bush Administration, the United States listed the DPRK as part of an "axis of evil", adopting this as a national policy to oppose its system, and singled it out as a target of pre-emptive nuclear attack, openly declaring a nuclear war.

Systematically violating the DPRK-United States Agreed Framework, the United States brought up another "nuclear suspicion" and stopped the supply of heavy oil, reducing the Agreed Framework to a dead document.

It also answered the DPRK's sincere proposal for the conclusion of the DPRK-United States non-aggression treaty and its patient efforts for negotiations with such threats as "blockade" and "military punishment" and with an arrogant attitude, blustering that it may talk but negotiations are impossible.

The United States went so far as to instigate the IAEA to internationalize its moves to stifle the DPRK, putting its declaration of a war into practice. This has eliminated the last possibility of solving the nuclear issue of the Korean peninsula in a peaceful and fair way.

It was due to such nuclear war moves of the United States against the DPRK and the partiality of the IAEA that the DPRK was compelled to declare its withdrawal from the NPT in March 1993, when a touch-and-go situation was created on the Korean peninsula.

As it has become clear once again that the United States persistently seeks to stifle the DPRK at any cost and the IAEA is used as a tool for executing the hostile United States policy towards the DPRK, we can no longer remain bound to the NPT, allowing the country's security and the dignity of our nation to be infringed upon.

In a grave situation where our State's supreme interests are most seriously threatened, the DPRK Government adopts the following decisions to protect the sovereignty of the country and the nation and their right to existence and dignity:

Firstly, the DPRK Government declares an automatic and immediate effectuation of its withdrawal from the NPT, on which "it unilaterally announced a moratorium as long as it deemed necessary" according to the 11 June 1993, DPRK-United States Joint Statement, now that the United States has unilaterally abandoned its commitments to stop nuclear threats and renounce hostility towards the DPRK in line with the same statement.

Secondly, it declares that the withdrawal of the DPRK from the NPT is totally free from the binding force of the Safeguards Agreement with the IAEA under its article 3.

The withdrawal from the NPT is a legitimate self-defensive measure taken against the United States moves to stifle the DPRK and the unreasonable behaviour of the IAEA in following the United States.

Though we pull out of the NPT, we have no intention to produce nuclear weapons, and our nuclear activities at this stage will be confined only to peaceful purposes such as the production of electricity.

If the United States drops its hostile policy of stifling the DPRK and stops its nuclear threat against the DPRK, the DPRK may prove through a separate verification between the DPRK and the United States that it does not make any nuclear weapons.

The United States and the IAEA will never evade their responsibilities for compelling the DPRK to withdraw from the NPT, by ignoring the DPRK's last efforts to seek a peaceful settlement of the nuclear issue through negotiations.

## Annex III to the letter dated 24 January 2003 from the Permanent Representative of the Democratic People's Republic of Korea to the United Nations addressed to the President of the Security Council

## Detailed report of the Korean Central News Agency dated 21 January 2003 on the circumstances of the withdrawal of the Democratic People's Republic of Korea from the Treaty on the Non-Proliferation of Nuclear Weapons

If the United States of America abandons its hostile policy and refrains from nuclear threat, the Democratic People's Republic of Korea may substantiate through a special verification between the two countries that it does not manufacture nuclear weapons. The nuclear issue of the Korean peninsula should be settled peacefully through fair negotiations that call upon both the DPRK and the United States to clear each other of their concerns on an equal footing. This is the consistent stand of the DPRK Government.

The Korean Central News Agency (KCNA) stresses this in a detailed report on the circumstances of the DPRK Government's withdrawal from the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), which was released on 21 January 2003.

**On the details of the DPRK's accession to the NPT**

The purpose of the DPRK's accession to the NPT was to remove the United States nuclear threat to it and, mainly, to satisfactorily solve the power problem with nuclear energy.

After deciding to regard light-water reactors as main means of electricity production in the country, the DPRK had contacts with some developed countries to purchase such reactors, but in vain. None of them responded to our request.

To begin with, we intended to buy advanced light-water reactors from Western countries such as Canada, Sweden and France but failed to do so due to the United States obstruction based on the Coordinating Committee on Export Controls.

So we had to negotiate with the former Soviet Union on this matter, though its light-water reactor was less advanced than Western countries' in technical aspects. At that time, the Soviet Union contended that its offer of nuclear-related technology to the DPRK would be possible only when it acceded to the NPT and signed the Safeguards Agreement with the International Atomic Energy Agency. So the DPRK prudently examined this matter.

The DPRK acceded to the NPT on 12 December 1985 for the purpose of ensuring international cooperation in the nuclear power industry and, at the same time, removing the nuclear threat to itself and turning the Korean peninsula into a nuclear-free zone.

**On the circumstances of the delayed conclusion of the Safeguards Agreement**

Even after the DPRK's accession to the NPT, the United States escalated its nuclear threat to the DPRK, making it impossible for the former to sign the Safeguards Agreement according to the NPT.

On 7 January 1992, the South Korean Defence Ministry and the United States Department of Defense and the South Korea-United States "combined command" jointly declared the discontinuation of the "Team Spirit" joint military exercises. High-level talks were held between the DPRK and the United States on 22 January 1992.

As conditions and circumstances were created after the United States and South Korea made a verbal promise, the DPRK signed the Safeguards Agreement with the IAEA on 30 January 1992.

The third session of the ninth Supreme People's Assembly of the DPRK, held on 9 April 1992, approved the Safeguards Agreement on the premise that none of the depositories of the NPT would deploy nuclear weapons on the Korean peninsula and pose a nuclear threat to the DPRK, and the DPRK informed the IAEA of this approval on 10 April, the following day.

The Safeguards Agreement between the DPRK and the IAEA thus came into force on 10 April 1992.

**On the details of the DPRK's declaration of its withdrawal from the NPT**

After the conclusion of the Safeguards Agreement between the DPRK and the IAEA, the United States spread the rumour about "suspected nuclear activities" in the DPRK's graphite-moderated reactor and its related facilities, sparking a "nuclear crisis".

An agreement was reached between the DPRK and the former Soviet Union on economic and technical cooperation in building nuclear power plants in 1985, after the DPRK's accession to the NPT. But this agreement was not implemented except for a site survey done for the project.

We therefore adopted it as a policy to create a nuclear power industry suited to our specific conditions, to live our own way, and began developing our own nuclear power technology.

For the development of its nuclear power industry, the DPRK chose a graphite-moderated-type reactor which could be developed not with any other country's raw materials but with its own rich resources and technology.

Over the past years, the DPRK has honestly fulfilled its commitments under the Safeguards Agreement.

We presented the initial inventory report on nuclear material and design information on nuclear facilities to the IAEA secretariat on 4 May 1992, far ahead of schedule; they were to be sent at the end of the year under articles 42 and 62 of the Safeguards Agreement.

We also ensured the visit to the DPRK by the IAEA delegation, led by its Director General from 11 to 16 May 1992, allowing it to inspect all the nuclear facilities it wished to see and even the objects it considered doubtful.

We provided full cooperation to the IAEA's ad hoc inspection team in its activities on six occasions.

However, the United States and its followers of the IAEA secretariat used such inspections under the NPT and the Safeguards Agreement to spy on the DPRK and undermine its socialist system.

Some of the IAEA secretariat systematically conveyed the results of the IAEA's inspections of the DPRK to the United States, which, under the pretext of what the IAEA called "inconsistency", demanded a "special inspection" of the DPRK's military objects, complicating the nuclear issue of the Korean peninsula.

The United States invited the IAEA Director General to a United States House of Representatives joint hearing on 22 July 1992, to inform it of the DPRK's nuclear programme, while urging him to conduct a "special inspection" or "surprise inspection" of the DPRK.

Raising a hue and cry over the "suspected nuclear development" in the DPRK, the United States instigated some members of the IAEA secretariat and certain member nations of the Agency to adopt, at the February 1993 meeting of the IAEA Board of Governors, an unreasonable resolution, which called for an inspection of the DPRK's military facilities that have nothing to do with nuclear activities.

Timed to coincide with the adoption of this resolution, the United States resumed the already suspended "Team Spirit", again seriously threatening the DPRK's sovereignty and right to existence.

Talks between the DPRK and the United States were held to discuss the nuclear issue at the former's request, but came to a rupture due to the long-standing hostile relationship and distrust between the two countries.

Under the prevailing situation, the DPRK proclaimed a semi-state of war to defend the sovereignty and security of the country and decided to withdraw from the NPT on 12 March 1993 to protect its supreme interests.

It also took the measure of withdrawing from the IAEA on 13 June 1994, as the 10 June 1994 meeting of its Board of Governors had adopted a resolution on the suspension of the Agency's cooperation with the DPRK, calling for opening its military objects under the pretext of the nuclear issue.

**On the DPRK's unique status**

The DPRK's sincere efforts to prevent the outbreak of a war on the Korean peninsula and ensure regional peace and stability, and the strong demand of the world's peace-loving people, compelled the United States to come to the negotiating table for a peaceful solution to the nuclear issue of the peninsula.

The DPRK-United States Joint Statement was adopted on 11 June 1993 after several rounds of bilateral negotiations.

In the Statement, the United States promised not to use force, including nuclear weapons against the DPRK or to threaten it with them, but to respect its sovereignty and refrain from interfering in its internal affairs.

The DPRK decided to temporarily suspend the effect of its withdrawal from the NPT as long as it considers necessary.

The DPRK had thus been placed in a unique status as regards its relations with the NPT. This unique status was also recognized by the United States and the IAEA secretariat.

After the publication of the DPRK-United States Joint Statement, three-phased talks took place between the two countries, and they resulted in the adoption of the DPRK-United States Agreed Framework on 21 October 1994, which called for a fundamental solution to the nuclear issue on the Korean peninsula.

**On the effectuation of the DPRK's withdrawal from the NPT, on which it had declared a moratorium**

The United States had no will to implement the Agreed Framework from the beginning and has systematically violated it, calculating that the DPRK would collapse.

It has not honoured its commitment to provide light-water reactors to the DPRK. The key point of the Agreed Framework is the United States provision of light-water reactors to the DPRK in return for its freeze on nuclear facilities.

The United States deliberately delayed its conclusion of a contract on the provision of light-water reactors to the DPRK, urging it to receive South Korean-type light-water reactors.

As a result, the agreement on the provision of light-water reactors between the DPRK and the United States-led Korean Peninsula Energy Development Organization was concluded on 15 December 1995, almost eight months after 21 April of the same year, the last day cited in the Agreed Framework.

Only site preparation has been done in the project of the light-water reactors which the United States committed itself to provide to the DPRK by 2003 under the Agreed Framework.

Due to the delayed provision by the United States of light-water reactors the DPRK suffered a huge loss of electricity and underwent a grave economic crisis, which led to the present situation, where even its right to existence is seriously threatened.

The United States has not sincerely honoured its legal commitment to annually supply 500,000 tons of heavy oil to the DPRK in compensation for the energy loss caused by its freeze on graphite-moderated reactors and their related facilities until the No. 1 light-water reactor power plant is completed, in line with paragraph 2 of article 1 of the Agreed Framework.

At the DPRK-United States New York talks held in March 2000 the DPRK side suggested that the United States compensate for the loss of electricity caused by the delayed provision of the light-water reactors.

On 14 November last year the United States decided to stop supplying heavy oil to the DPRK from December, thus abandoning the last commitment it had been honouring under the Agreed Framework.

This compelled the DPRK to restart its nuclear facilities, which had been frozen under the Agreed Framework, to make up for a vacuum created in power generation due to the United States decision to stop supplying heavy oil to the DPRK.

According to article 2 of the Agreed Framework, the DPRK Government decided to lift the measures whereby United States-made goods were restricted from entering the DPRK and United States-flagged trading vessels were banned from entering ports in the DPRK when involved in the DPRK's trade with other countries from mid-January 1995, three months after the adoption of the Agreed Framework. But the United States lifted only part of symbolic sanctions applied against the DPRK in travel, telecommunications, finance and passage through territorial air, but did not take any substantial measures to ease sanctions in such fields as trade and investment barriers.

Under article 3 of the Agreed Framework the United States is committed to giving the DPRK formal assurances against the use or threat of nuclear weapons.

In 1993, when the DPRK-United States talks for a peaceful settlement of the nuclear issue on the Korean peninsula were under way, the United States worked out a "New Operation Plan 5027" for a pre-emptive nuclear attack on it behind the curtain of the dialogue and systematically stepped up its preparations to put it into practice to stifle the DPRK.

From early in 1995, the Foal Eagle 95, Hoguk 96, Rimpac 98, Hwarang 98 and Ulji Focus Lens joint military exercises and other, nuclear war exercises targeted against the DPRK were frantically staged on the land, on the sea and in the air in all parts of South Korea almost every day of every year.

In February 1997 the United States moved depleted uranium shells from its Okinawa base to South Korea to deploy them there for an actual war, and on 8 June that year it issued an interim report on the re-examination of the United States-Japan Defence Cooperation Guidelines in Honolulu.

In January 1999 the United States Defense Secretary and the Chairman of the United States Joint Chiefs of Staff flew into South Korea to hold the twentieth meeting of the Military Commission and the thirtieth annual Security Consultative Meeting with South Korean brass hats, at which they released a joint statement. In that statement they claimed that the DPRK remained a constant threat to their national interests and they would strongly retaliate against the DPRK with nuclear weapons and all other means in case of emergency.

No sooner had the authorities of the Bush Administration taken office than they adopted it as their policy to stifle the DPRK by force and put the already started bilateral talks in total stalemate.

Bush went so far as to let loose vituperation against the supreme leadership of the DPRK and dubbed the DPRK "part of an axis of evil" in his State of the Union message delivered at the Congress on 30 January 2002.

Particular mention should be made of the fact that the Bush Administration even went so far as to list the DPRK as a target of its pre-emptive nuclear attack, thus totally destroying the foundation of the Agreed Framework and wantonly violating the basic spirit of the NPT.

In the wake of the visit to Pyongyang of the United States President's special envoy early in October last year, the Bush Administration groundlessly asserted that the DPRK had pushed ahead with its nuclear programme in violation of the Agreed Framework, and blustered that there would be no bilateral talks and that would

adversely affect the DPRK-Japan and inter-Korean relations unless the DPRK scrapped its programme.

The United States insisted on the brigandish assertion that the DPRK should receive nuclear inspection, though it was stipulated in article 4 of the Agreed Framework and elsewhere that the DPRK would receive it only after turbine, generator and other non-nuclear parts of light-water reactors were delivered to it, thus driving the situation to a worse phase than that of the early 1990s.

The United States again instigated the IAEA on 6 January this year to adopt an anti-DPRK resolution in the wake of the similar one on 29 November last year.

The United States, which openly scrapped the Agreed Framework, instigated even the IAEA to internationalize its moves to stifle the DPRK, thus putting into practice its declaration of a war against the DPRK.

This compelled the DPRK to withdraw from the NPT, which is being misused as a tool for implementing the hostile United States policy towards the DPRK, in order to protect its sovereignty and right to existence.

As seen above, the nuclear issue on the Korean peninsula is a product of the hostile United States policy towards the DPRK, and therefore it is an issue to be settled between the DPRK and the United States through negotiations.

The conclusion of a non-aggression treaty between the DPRK and the United States would provide the only realistic way of fundamentally solving the nuclear issue on the Korean peninsula and peacefully settling the obtaining grave situation.

If the United States signs the treaty and legally assures the DPRK of its non-aggression, including the non-use of nuclear weapons, the DPRK can also clear the United States of its security concerns.

Though the DPRK pulled out of the NPT, its nuclear activities will be limited to peaceful purposes, including power generation, at the present stage.